

REMARKS

Claims 1, 14, and 20 have been amended. No claims have been canceled. No new claims have been added. Claims 1-20 are pending.

Claims 1-13 stand rejection under 35 U.S.C. § 101 as allegedly directed to non-statutory matter. Claim 1 has been amended to recite the use of a computer in the the method steps. As such the claimed invention is within the technological arts. Further, one of the recited steps is a step of "directing delivery" thereby ensuring that the recited invention produces a useful, concrete, and tangible result. Accordingly, it is respectfully asserted that claims 1-13 recite statutory subject matter. The rejection to claims 1-13 under 35 U.S.C. § 101 should be withdrawn.

Claims 1, 9-11, 14-15, and 20 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Gelditsch (U.S. Patent No. 6,415,194). Claims 18-19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Gelditsch. Claims 2 and 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Gelditsch and Kaneko (U.S. Patent No. 4,958,292). Claims 3-6 and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Gelditsch and Radican (U.S. Patent No. 6,148,291). Claims 7-8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Gelditsch and Kennedy (U.S. Patent No. 6,055,519). Claims 12-13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Gelditsch and Landvater (U.S. Patent No. 6,609,101). These rejections are respectfully traversed.

Claim 1 recites, *inter alia*, "receiving, by a computer system, at least one projected requirement for the product from a customer, said projected requirement comprising a projected quantity and a projected date on which said projected quantity will be required by said customer" and "receiving, at the computer system, at least one

standard order for the product from said customer, said standard order including a quantity required immediately by said customer”

Claim 14 recites, *inter alia*, “a receiver module for receiving at least one projected requirement for the product from a customer and receiving at least one standard order for the product from said customer, said projected requirement including a projected quantity and a projected date on which said projected quantity will be required by said customer and said standard order including a quantity required immediately by said customer.”

Claim 20 recites, *inter alia*, “a receiver module for receiving at least one projected requirement for the product from a customer and receiving at least one standard order for the product from said customer, said projected requirement including a projected quantity and a projected date on which said projected quantity of the product will be required by said customer and said standard order including a quantity required immediately by said customer.”

Gelditsch discloses a system for ensuring that sufficient availability of manufacturing resources. The system disclosed by Gelditsch tracks scheduled various manufacturing resources, such as, finished goods orders, existing finished goods inventory, past due finish good orders, unallocated customer orders, marketing orders, and manufacturing lead times for a product. When a customer order including a quantity requirement and a date requirement is received, manufacturing resources are allocated to meet the order. The mix of manufacturing resources allocated to the order is based upon the relationship between the date requirement and the manufacturing lead time for the product.

Gelditsch fails to teach or suggest a system or module which receives at least one projected requirement from a customer. Although the Office Action alleges that this is taught by Gelditsch at column 5, lines 29-31 and 56-60, and at column 12, lines 9-32, it is respectfully asserted that this conclusion is in error. Column 5, lines 29-31 discloses that the system of Gelditsch is capable of generating an error message. Column 5, lines 56-60 discloses that an object of the Gelditsch system is to generate an order acknowledgment projecting whether there would be sufficient manufacturing resources to meet the order. Column 12, lines 9-32 disclose a method 300 in which a customer order is received. An order is not a "projected requirement." Rather, an order is the requirement itself. As such, Gelditsch fails to teach or suggest a method or apparatus which receives at least one projected requirement from a customer for a product, as required by the above recited portions of independent claims 1, 14, and 20.

Further, the above quoted portions of the independent claims also require a system or module to receive at least one standard order for the product. The Office Action states that Gelditsch discloses this aspect of the invention at column 10, lines 48-54, column 12, lines 32-34, and column 17, lines 16-18. However, column 10, lines 48-54 is directed to Gelditsch's a "policy" which is only used for low volume products with sporadic demand. Column 10, lines 48-49. Further no forecasting is performed in such situations. Column 10, lines 49-50. As such, this portion of Gelditsch cannot anticipate the claimed invention because each of independent claim require predicting, i.e., forecasting amounts, and Gelditsch performs no forecasting in this mode. Column 12, lines 32-34 relates to a discussion about which policy to use and therefore also fails to disclose or suggest receiving at least one standard order. Finally, column 17, lines 16-18 relates to an algorithm used to service "unanticipated" orders, while the claimed invention recites a standard order.

The Office Action additionally cites to Kaneko, Radican, and Landvater for various limitations further recited in the depending claims. However, the prior art of record, whether taken individually or in combination, fails to disclose or suggest the above quoted limitations of the independent claims.

Accordingly, claims 1, 14, and 20 are believed to be allowable over the prior art of record. The depending claims, i.e., claims 2-13 and 15-19 are believed to be allowable for at least the same reason as the independent claims.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

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Respectfully submitted,

By 

Thomas J. D'Amico

Registration No.: 28,371

Christopher S. Chow

Registration No.: 46,493

DICKSTEIN SHAPIRO MORIN &

OSHINSKY LLP

2101 L Street NW

Washington, DC 20037-1526

(202) 785-9700

Attorneys for Applicant